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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Makoto YOSHIDA et al.

Group Art Unit: 2653

Application No.: 10/026,877

Examiner: D. Ometz

Filed: December 27, 2001

Docket No.: 111580

For: THIN FILM MAGNETIC HEAD, MAGNETIC HEAD DEVICE AND MAGNETIC DISK DRIVING DEVICE

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2600

Sir:

In reply to the December 31, 2003 Election of Species Requirement, Applicants provisionally elect Species I, Figures 2-6, with traverse. At least, generic claims 1-3 and 6-10 read on this species.

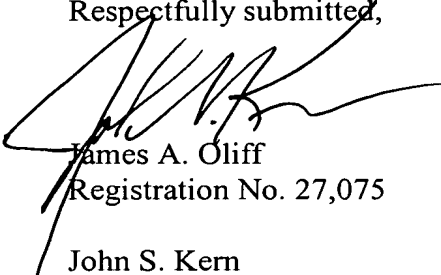
It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden.

See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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JAO:JSK/kap

Date: January 15, 2004

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